

PUBLIC

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EXTRA 145/99Death Penalty/Legal concern

YEMENYahya Najji Muhammad al-Asadi

Thirteen years after he was sentenced to death in a possibly unfair trial, Yahya Najji Muhammad al-Asadi is feared to be at imminent risk of execution.

Amnesty International has been informed that an order for his execution was issued over a month ago. However, due to a mistake in the spelling of his name on the order, his execution was temporarily suspended.

Yahya Najji Muhammad al-Asadi, a father of six children, was sentenced to death for murder in 1986. The verdict was upheld by the Supreme Court and in 1989 the case was about to be referred for ratification by the then ruling Presidential Council. Relatives appealed to the court for review of the case as one of the prosecution witnesses had withdrawn his testimony. The court decided that the case should be reviewed. Despite this the death sentence was sent for ratification by the Presidential Council and was ratified in 1992. Yahya al-Asadi's relatives were unaware of this until the day before he was due to be executed. One of the Yahya al-Asadi's sons contacted his lawyer, who in turn contacted other lawyers and lobbied the Attorney General to stop the execution. As a result the execution was stopped, but the case remained before the Supreme Court. Amnesty International does not know whether Yahya al-Asadi's death sentence has since been reviewed by the Supreme Court or ratified by the President.

In addition to its unconditional opposition to the death penalty, Amnesty International is concerned that the trial of Yahya Najji Muhammad al-Asadi may have contravened international standards for fair trial. His original conviction had followed a trial in the former Yemen Arab Republic (YAR), where Amnesty International knows of many cases of people being convicted apparently on the basis of false testimony or statements extracted under torture.

FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in or in your own language:

- expressing concern that Yahya Najji Muhammad al-Asadi is at imminent risk of execution;
- expressing concern that his trial may not have met internationally recognized standards for fair trial;
- explaining your unconditional opposition to the death penalty, and drawing attention to worldwide trends to abolish or reduce the death penalty, the desirability of which was reaffirmed in Resolution 1999/61, adopted on 28 April 1999 by the United Nations Commission on Human Rights;
- calling for the commutation of all death sentences passed in Yemen.

APPEALS TO:

His Excellency

General 'Ali Abdullah Saleh

President of the Republic of Yemen

Sana'a, The Republic of Yemen

Telegrams: President 'Ali Abdullah Saleh, Sana'a, Yemen

Faxes: +967 1 264 147

Telexes: 2422 RIASAH YE

Salutation: Your Excellency

Dr 'Abd al-Karim al-Iryani
Prime Minister of the Republic of Yemen
26 September Street
Sana'a
The Republic of Yemen
Telegrams: Prime Minister, Sana'a, Yemen
Faxes: +967 1 282 686
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Minister of Interior
Husain Muhammad 'Arab
Ministry of Interior
Sana'a, The Republic of Yemen
Faxes: + 967 1 332 511
Telegrams: Interior Minister, Sana'a, Yemen
Salutation: Your Excellency

Minister of Justice
Mr Ismael Ahmad al-Wazeer
Ministry of Justice
Sana'a, The Republic of Yemen
Telegrams: Justice Minister, Sana'a, Yemen
Faxes: + 967 1 225836
Salutation: Your Excellency

COPIES TO: diplomatic representatives of Yemen accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 26 November 1999.